

**ENTERED**

May 08, 2020

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

ANDRES ANTONIO GARZA,  
Petitioner,

v.

LORIE DAVIS, Director, Texas  
Department of Criminal Justice Correctional  
Institutions Division,  
Respondent.

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Civil Action No. 1:19-cv-00137

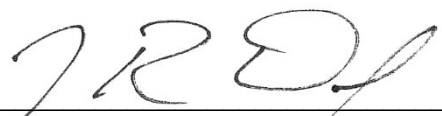
**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Before the Court is the "Magistrate Judge's Report and Recommendation" ("R&R") (Docket No. 19). The R&R recommended the following: (1) dismiss the case as time-barred; (2) close the case; and (3) decline to issue a certificate of appealability.

Objections were due April 6, 2020. No objections were filed by either party. A "clearly erroneous, abuse of discretion and contrary to law" standard of review is appropriate when there has been no objection to the magistrate's ruling. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989). Finding no clear error, abuse of discretion, or finding contrary to law, the R&R is **ADOPTED**.

As a result, Andres Antonio Garza's cause of action against Lorie Davis is **DISMISSED**, and the Court **DECLINES** to issue a certificate of appealability. The Clerk of the Court is **ORDERED** to close this case.

Signed on this 7th day of May, 2020.

  
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Rolando Olvera  
United States District Judge